



# ASIAN LEGAL RESOURCE CENTRE

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## *Check Against Delivery*

### **An Oral Statement to the 11th Session of the Human Rights Council by the Asian Legal Resource Centre (ALRC), a non-governmental organization with general consultative status**

#### **Item 6: Universal Periodic Review discussion on Bangladesh**

#### **BANGLADESH: UPR outcome adopted, but impunity persists**

Thank you Mr President.

The Asian Legal Resource Centre (ALRC) welcomes the fact that the situation of human rights in Bangladesh has received some attention through the UPR process, as this has been sadly lacking in the regular work of the Council. Grave violations during the period under review include endemic torture; widespread violations of women's rights; at least 1000 extra-judicial killings by the police and Rapid Action Battalion; and a state of emergency in which press freedom was restricted, fundamental rights were suspended and mass arrests and repression took place. Impunity persists for these.

Concerning recommendations 10, 20 and 26, Bangladesh has promised to halt such practices and address the culture of impunity by bringing those responsible to justice. However, no functioning complaint mechanisms even exist at present. Furthermore, at least 32 extra-judicial killings have been committed since the government took power this year, but no actions have been taken to date. The ALRC challenges the government to produce evidence of a single case in the period of this review where a state agent has been held responsible for torture or extra-judicial killings. The government should repeal the "Joint Drive Indemnity Act-2003" and Article 46 of the Constitution, which continue to provide blanket impunity to State agents involved in grave violations.

Furthermore, it is regrettable that Bangladesh has not accepted recommendation number 19 concerning a moratorium on the death penalty.

Concerning recommendations 11 and 25, despite claims that the judiciary has been separated from the executive, the government has in fact amended its Code of Criminal Procedure-1898, allowing "Executive Magistrates" to take control of any trial they deem fit, which completely obstructs judicial independence in practice.

Finally, the ALRC is deeply disappointed that Bangladesh has not seen fit to accept recommendation 12 calling for a standing invitation to be issued to all special procedures. Despite numerous pending requests for visits and claims by the government that it is cooperating, there have been few visits and none in the last five years. Bangladesh must ensure the visits of the Special Rapporteurs on extrajudicial executions, the independence of judges and lawyers, and the freedom of expression as a priority, and extend invitations to all other mandates, including that concerning torture.

Thank you